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FAX

TO NAME: Examiner David Own Reip  
FIRM: USPTO  
FAX NO.: 571-273-4702  
PHONE NO.:

PAGES (INCLUDING COVER):

8

ORIGINAL TO FOLLOW IN MAIL:

☐ Yes ☒ No

FROM NAME: Tyler Maddry  
DIRECT DIAL: 202-955-1964

MESSAGE

Dear Examiner Reip,  
Further to your request this morning, attached please find a copy of a Response to Notice Under 37 C.F.R. § 1.251 that I filed on January 7, 2005, including a postcard stamped on January 7, 2005 by OIPE.

If there is anything else that you need, please don't hesitate to contact me.

IF PROBLEM WITH TRANSMISSION, PLEASE CONTACT OPERATOR AT 202 • 955 • 1500.

OPERATOR

DATE: September 27, 2005  
TIME:  
CLIENT/MATTER NAME:  
CLIENT/MATTER NO.: 64118.000033

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/693,604 Confirmation No.: 6463  
Applicant : Richard ASSAKER et al.  
Filed : October 27, 2003  
Title : ANTERIOR IMPLANT FOR THE SPINE  
TC/Art Unit : 3731  
Examiner: : Unknown  
  
Docket No. : 64118.000033  
Customer No. : 21967

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE UNDER 37 C.F.R. § 1.251

Sir:

In response to the Notice Under 37 C.F.R. § 1.251 dated December 17, 2004, Applicants submit herewith the requested paper, an Authorization to Act in a Representative Capacity, filed August 11, 2004. The copy of the Authorization to Act in a Representative Capacity submitted herewith is a complete and accurate copy of Applicants' record of such paper.

If there are any questions regarding this Response or the application in general, please contact the undersigned to expedite prosecution.

It is believed that no fee is due in connection with the filing of this Response. However, in the event any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: JANUARY 7, 2005

By:

Tyler Maddy  
Tyler Maddy  
Registration No. 40,074

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COMMISSIONER FOR PATENTS

FORM PTO-2053-B (REV. 10/03)

Approved for use through 07/31/2006.OMB 0651-0031  
U.S. Patent and Trademark Office, U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

In re Application of:

Richard Assaker et al.

Application No.:

10/693,604

Filing Date:

10/27/2003

Title:

Anterior Implant for the Spine

Direct to:

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**NOTICE UNDER 37 CFR 1.251 – Pending Application**

Statement (check the appropriate box):

☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

JANUARY 7, 2005

Date

*Tyler Maddy*

Signature

Tyler Maddy

Typed or printed name

**A Copy of this notice should be returned with the reply.**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

UTILITY ☒

DESIGN ☐

Application Serial No. 10/693,604

Client/Matter: 64118.000033

Inventor: Richard ASSAKER

Client: Medtronic

Filing Date: 10/27/03

Date: 4/22/04

Atty/Sec: TM/m

Title: ANTERIOR IMPLANT FOR THE SPINE

The following has been received in the U.S. Patent and Trademark Office  
on the date stamped hereon:

- 1) Information Disclosure Statement;
- 2) PTO/SB/08A listing 57 references;
- 3) Copies of 57 references;
- 4) PTO/SB/08A listing 82 references;
- 5) Identification of Certified Copy of Priority Document under MPEP Section 201.14(b);
- 6) Response to Notice under 37 C.F.R. Section 1.251;
- 7) Copy of Authorization to Act in a Representative Capacity filed 8/17/04 with copy of PTO date stamped postcard; and
- 8) Notice under 37 CFR 1.251



1/10/05